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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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LOREN RAYMOND FOLLETT,  
  
v.  
  
RENEE BAKER, *et al.*,  
  
Respondents.

Case No. 3:16-cv-00370-HDM-WGC  
  
ORDER

In this habeas corpus action, brought by Nevada prisoner Loren Raymond Follett, the Court denied Follett's habeas petition on July 12, 2018 (ECF No. 25), and judgment was entered that same day (ECF No. 26).

On August 15, 2018, Follett filed a motion for reconsideration and motion for stay (ECF Nos. 27, 28). The motion for reconsideration and motion for stay were filed by Follett on his own behalf. See Motion for Reconsideration and Motion to Stay the Proceeding (ECF Nos. 27, 28). Follett is represented by counsel in this action. Under the Court's local rules, "[a] party who has appeared by attorney cannot while so represented appear or act in the case." LR IA 11-6. On this ground, primarily, the Court will deny these motions.

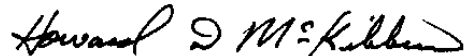
Moreover, the Court has examined the motions and determines that they are without merit at any rate. The basis for the motion for reconsideration is that Follett is unhappy with the performance of his privately-retained counsel. That, however, is not a colorable ground for a motion for reconsideration or for relief from the judgment. And,

1 further, this action is closed. It was closed on July 12, 2018, when relief was denied and  
2 the judgment entered. As the motion for reconsideration will be denied, there is not an  
3 open action to be stayed, and the motion for stay is therefore moot.

4 **IT IS THEREFORE ORDERED** that the petitioner's motion for reconsideration  
5 (ECF No. 27) and motion for stay (ECF No. 28) are **DENIED**. The petitioner is denied a  
6 certificate of appealability with respect to this order.

7 **IT IS FURTHER ORDERED** that the Clerk of the Court is directed to send a copy  
8 of this order to the petitioner, Loren R. Follett, #1104802, Lovelock Correctional Center,  
9 1200 Prison Road, Lovelock, NV 89419.

10 DATED THIS 17th day of August, 2018.  
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14 HOWARD D. McKIBBEN,  
15 UNITED STATES DISTRICT JUDGE  
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